IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA

NORTHERN DISTRICT OF ALABAMA

Plaintiff,

VS.

CV 94-S-2491-NE

LIEUTENANT WATKINS, ET AL.,

Defendants.

MAY 2 2 1998

## MEMORANDUM OF OPINION

On April 28, 1998 the magistrate judge filed findings and recommendation in the above-referenced action. Therein the magistrate judge recommended that this action be dismissed with prejudice for plaintiff's failure to comply with the court's order of March 9, 1998 and for plaintiff's failure to prosecute. No objections have been filed by any party.

Having carefully reviewed and considered de novo all the materials in the court file, including the findings and recommendation, the Court is of the opinion that the magistrate judge's findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, this action

is due to be DISMISSED WITH PREJUDICE. A Final Judgment will be entered.

DONE this the 22 nd day of May, 1998.

UNITED STATES DISTRUCT JUDGE

SCAUNED

46" 2 2 1998

YE